

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO

FILED
U.S. BANKRUPTCY COURT
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NORTHERN DISTRICT OF OHIO
YOUNGSTOWN

IN RE:

DWANE EBBIA TYSON and
MARY ELLEN TYSON,

Debtors.

CASE NUMBER 10-42264

CHAPTER 7

HONORABLE KAY WOODS

ORDER FOR DEBTORS AND DEBTORS' COUNSEL TO APPEAR AND SHOW CAUSE

On June 16, 2010, Debtors Dwane Ebbia Tyson and Mary Ellen Tyson filed a voluntary petition pursuant to chapter 7 of the Bankruptcy Code. The petition indicates that it was prepared and filed electronically by Pam Theodotou, as attorney for the Debtors. Ms. Theodotou filed Amended Disclosure of Compensation of Attorney for Debtor ("Amended Disclosure") (Doc. # 16) on June 29, 2010, shortly after the Court issued Order for Attorney Pam Theodotou to Appear and Show Cause ("First OSC") (Doc. # 15). The Amended Disclosure deleted the strike out in paragraph 5, which had attempted to remove from the scope of representation Ms. Theodotou's attendance with the Debtors at the first meeting of creditors. Like the original Disclosure of Compensation filed with the petition, the Amended Disclosure stated that Ms. Theodotou had agreed to accept \$899.00 ("Fee") for representation of the Debtors, but that the entire Fee remained unpaid and constituted the "balance due."

At the hearing on the First OSC on July 8, 2010, the Court questioned Ms. Theodotou about how she intended to collect the Fee since it would constitute a pre-petition debt and would be discharged in the Debtors' bankruptcy. Ms. Theodotou stated that

she would work out a payment plan with the Debtors after the bankruptcy case was finished. The Debtors received a discharge in this case on October 13, 2010. As a consequence, the Debtors' personal liability for the Fee has been discharged and Ms. Theodotou is prohibited by the discharge injunction in 11 U.S.C. § 524(a) from attempting to collect the Fee from the Debtors.

As a consequence, **Pam Theodotou, Esquire**, and the **Debtors** are **ORDERED to APPEAR** on November 4, 2010, at 9:30 a.m. before the Honorable Kay Woods, Bankruptcy Judge at the United States Bankruptcy Court for the Northern District of Ohio, Nathaniel R. Jones Federal Building and United States Courthouse, 10 East Commerce Street, Third Floor, Youngstown, Ohio and **SHOW CAUSE** concerning any and all efforts to collect the Fee from the Debtors.

PAM THEODOTOU, ESQUIRE, AND THE DEBTORS SHALL NOT FAIL TO APPEAR UNDER PENALTIES OF CONTEMPT.

IT IS SO ORDERED.



KAY WOODS
UNITED STATES BANKRUPTCY JUDGE